

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 21-CR-30050-DWD
)	
)	
KRISTA N. BRENNER,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

Pending before the Court is the United States of America's Motion to Dismiss the Indictment as to Defendant Krista N. Brenner (Doc. 19). On April 21, 2021, a grand jury returned an indictment charging Brenner with two counts of obtaining a controlled substance by misrepresentation, fraud, and deception pursuant to 21 U.S.C. § 843(a)(3) (Docs. 1 & 2). On or about August 3, 2021, Defendant entered into a Pretrial Diversion Agreement with the United States in which Defendant acknowledged responsibility for the charged offenses and agreed to an eighteen-month program of supervision by the Probation Office and in which the United States agreed to dismiss the pending indictment upon the Defendant's successful completion of the program (Doc. 17).

The Government's motion to dismiss indicates Brenner has fully complied with the terms of her pretrial diversion during the past 18 months. Accordingly, the United States moves to dismiss the indictment in this matter. Under Federal Rule of Criminal Procedure 48(a), "[t]he government may, with leave of court, dismiss an indictment . . .

." FED. R. CRIM. P. 48(a). Because Brenner has complied with all requirements of the Pretrial Diversion Agreement, the Court **GRANTS** the motion to dismiss (Doc. 19). The indictment (Doc. 1) is **DISMISSED** with prejudice. The Clerk of Court is **DIRECTED** to close this case. The Court commends Ms. Brenner for successfully completing her term of diversion and wishes her the best in her future endeavors.

IT IS SO ORDERED.

Dated: February 7, 2023

The image shows a handwritten signature in black ink, which appears to read "David W. Dugan". The signature is written over a circular official seal. The seal features an eagle with spread wings, holding an olive branch and arrows, with a shield on its chest. Above the eagle is a constellation of stars. The text "UNITED STATES DISTRICT COURT" is written in a circle around the top, and "SOUTHERN DISTRICT OF ILLINOIS" is written around the bottom.

DAVID W. DUGAN
United States District Judge